

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

**FRANCISCO X. FERNANDEZ,**

**Plaintiff,**

**v.**

**Civil No. 05-265-SLR**

**ALBERTO GONZALES  
UNITED STATES ATTORNEY GENERAL,**

**Defendant**

**Pro Se Action  
Francisco X. Fernandez  
c/o DEA Group 4  
8400 N.W. 53<sup>rd</sup> Street,  
Miami, Florida 33166**



**October 3, 2005**

**MOTION FOR CHANGE OF VENUE**

1. Pursuant to Section 28 USC 1404, Plaintiff, Francisco X. Fernandez, hereby respectfully requests that the Court consider a request for a change of venue from the District of Delaware to the Southern District of Florida, Miami Federal Court House, Miami, Florida.
2. Plaintiff filed a timely complaint with the Court. Since the filing of the complaint, Plaintiff has been transferred to the Drug Enforcement Administration's Miami Field Division Office, located within Miami-Dade County, Florida, under the venue of the U.S. District Court for the Southern District of Florida.
3. Plaintiff's complaint includes violation of Civil Rights, and First Amendment Issues as it pertains to Plaintiff's denial of promotional opportunities with the United States Department of Justice, Drug Enforcement Administration (DEA). Several of those supervisory vacancies were advertised at the Miami Field Division of the DEA, located at 8400 N.W., 53<sup>rd</sup> Street, Miami, Florida 33166.

4. The U.S. Drug Enforcement Administration's Miami Field Division is located within the jurisdiction of the U.S. District Court for the Southern District of Florida (Miami, Florida).
5. Based on these facts, the U.S. District Court for the Southern District of Florida, Miami Federal Court House, would have jurisdiction/venue.
6. There is likelihood that DEA managers assigned to the DEA Miami Field Division would be called as witnesses.
7. The Plaintiff is currently bringing this action on a pro se basis pending Plaintiff's motion before the Court for the appointment of counsel. The financial cost of travel between Florida, and Delaware would be a burden on the Plaintiff. Plaintiff would not be able to adequately present his case before the U.S. District Court for the District of Delaware. For the convenience of parties, and witnesses, Plaintiff pleads with the Court to allow the change of venue.

Francisco X. Fernandez



CERTIFICATE OF MAILING:

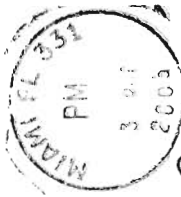
1. On 10/03/05, this motion was sent via U.S. Postal service First Class mail to the following recipients, by Francisco X. Fernandez

Office of the Clerk  
United States District Court  
For the District of Delaware  
Room 4209, Lockbox 18  
844 King Street  
Wilmington, Delaware 19801

John W. Sippel, Jr.  
Assistant United States Attorney  
36 South Charles Street  
Fourth Floor  
Baltimore, Maryland 21201

F. Fernandez  
DEA GROUP 4  
8400 NW 5300 ST  
Miami FL 33166

Final  
Motion



UNITED STATES DISTRICT COURT

OFFICE of the CLERK

U.S.M.S.  
X-RAY

Room 4209

Lockbox 18

844 King Street

13801-3513  
Miami, FL 33136